

HONORABLE ROBERT S. LASNIK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRUCE KEITHLY, DONOVAN LEE,  
and EDITH ANNA CRAMER,  
Individually and on Behalf of all Other  
Similarly Situated,

Plaintiffs,

vs.

INTELIUS INC., A Delaware  
Corporation; and INTELIUS SALES  
COMPANY LLC, A Nevada Limited  
Liability Company,

Defendants.

Case No. C09-1485-RSL

DECLARATION OF CHRISTOPHER  
WION IN SUPPORT OF  
DEFENDANTS' MOTION FOR (1)  
TEMPORARY STAY OF DISCOVERY  
AND (2) CONDITIONAL REQUEST  
FOR BIFURCATION OF DISCOVERY

**Noted: Friday, May 7, 2010**

I, Christopher Wion, swear under penalty of perjury under the laws of the State of  
Washington to the following:

1. I am counsel of record to Defendants in the above captioned action, am over age  
18, and competent to be a witness. I am making this declaration based on facts within my own  
personal knowledge and in support of Defendants' Motion for (1) Temporary Stay of Discovery  
and (2) Conditional Request for Bifurcation of Discovery.

2. On April 19, 2010, I called Plaintiffs' counsel, Karin Swope, to request an  
extension of the time for Intelius to respond to Plaintiffs' First Set of Requests for Production  
of Documents to Defendants ("Plaintiffs' First RFPs"), at least until after a ruling on Intelius'

DECL OF WION IN SUPPORT OF DEFS  
MOTION FOR (1) TEMPORARY STAY OF  
DISCOVERY AND (2) CONDITIONAL REQ  
FOR BIFURCATION OF DISCOVERY - 1

LAW OFFICES  
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1 pending Motion to Dismiss. In a second call later that afternoon, Ms. Swope declined the  
2 request for an extension.


3 3. Attached as Exhibit 1 is a true and correct copy of Plaintiffs' First RFPs, dated  
4 March 26, 2010.

5 4. Attached as Exhibit 2 is a true and correct copy of an April 21, 2010 letter that I  
6 sent to Ms. Swope.

7 5. Attached hereto as Exhibit 3 is a true and correct copy of an email exchange I  
8 had with Plaintiffs' counsel, Ms. Swope and Mark Griffin, spanning the dates April 21 to April  
9 28.

10 6. On April 23, in a conference call with Ms. Swope and Mr. Griffin to discuss the  
11 issues raised in my letter of April 21, Plaintiffs' counsel declined Intelius' request for a  
12 temporary stay and bifurcated discovery. Instead, they proposed (a) to extend the deadline for  
13 Intelius' response to Plaintiffs' First RFPs by 30 days, but only if (b) Intelius were to promptly  
14 produce (i) all documents it has provided to the Washington State Attorney General in  
15 connection with any inquiry relating to post-transaction marketing and (ii) all documents  
16 produced to the plaintiffs in *Baxter v. Intelius, et al.*, a case against Intelius and Adaptive  
17 pending in the Central District of California under Case No. 8:09-cv-01031-AG MLG (and  
18 which pre-dates the instant case by approximately two months). Under the proposal, Plaintiffs  
19 retained the right to pursue each RFP at the end of the 30-day extension, without any  
20 allowance for the pendency of Intelius' Motion to Dismiss or any distinction between  
21 discovery on certification issues and discovery on the merits.

22 7. Attached as Exhibit 4 is a true and correct copy of Intelius' Objections and  
23 Responses to Plaintiffs' First RFPs, dated April 28, 2010.  
24  
25

  
CHRISTOPHER WION

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of April, 2010, I served a true and correct copy of the foregoing document on the following individuals:

**Attorney for Plaintiffs**

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\_\_\_\_ Messenger

\_\_\_\_ Email

X ECF

\_\_\_\_ Facsimile

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\_\_\_\_ Messenger

\_\_\_\_ Email

X ECF

\_\_\_\_ Facsimile

\_\_\_\_ US Mail



LINDA BLEDSOE

DECL OF WION IN SUPPORT OF DEFS  
MOTION FOR (1) TEMPORARY STAY OF  
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FOR BIFURCATION OF DISCOVERY - 4

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